

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Hasegawa et al.Attorney Docket No. 43512-103808Application No./Patent No./Control No.: 10/567,766

Confirmation No. 5560

Filed/Issue Date: February 10, 2006

Entitled:

NOVEL VACCINE CONTAINING ADJUVANT CAPABLE OF INDUCING MUCOSAL IMMUNITY

THE RESEARCH FOUNDATION FOR MICROBIAL  
DISEASES OF OSAKA UNIVERSITY

(Name of Assignee)

(Type of Assignee; corporation, partnership, university, government agency,  
etc.)

states that it is:

1. ☒ an assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_%)

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. ☐ The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, ☒ or a true copy of the original assignment is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
☐ The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or ☐ for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
☐ The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or ☐ for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
☐ The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or ☐ for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Carol Larcher

Printed or Typed Name

December 29, 2006

Date

312-357-1313

Telephone Number

35,243

Reg. No.

Customer No.: **23644**

Gardner Carton & Douglas LLP  
191 N. Wacker Drive  
Suite 3700  
Chicago, Illinois 60606-1698

## ASSIGNMENT

**WHEREAS, WE**, Hideki HASEGAWA of 3-43-8-314, Hongo, Bunkyo-ku, Tokyo 113-0033 Japan; Takeshi KURATA of 3-25-22, Hikaricho, Kokubunji-shi, Tokyo 185-0034 Japan; Tetsutarou SATA of 1-3-3-504, Minamisuna, Koto-ku, Tokyo 136-0076 Japan; Masami MORIYAMA of 1-13-20-311, Bessho, Minami-ku, Yokohama-shi, Kanagawa 232-0064 Japan; Shin-ichi TAMURA of D56-302, 5-16, Tsukumodai, Suita-shi, Osaka 565-0862 Japan and Takeshi TANIMOTO of D6-302, 2-3, Momoyamadai, Suita-shi, Osaka 565-0854 Japan; (the "Assignees"), have invented and own a certain invention entitled:

### **NOVEL VACCINE CONTAINING ADJUVANT CAPABLE OF INDUCING MUCOSAL IMMUNITY**

for which invention we have executed an application (provisional or non-provisional) for a U.S. patent, which was filed on February 10, 2006, under U.S. Application No. 10/567,766, and

**WHEREAS**, The Research Foundation for Microbial Diseases of Osaka University of c/o Osaka University, 3-1, Yamadaoka, Suita-shi, Osaka 565-0871 Japan; Japan as Represented by the Director-General of National Institute of Infectious Diseases of 23-1, Toyama 1-chome, Shinjuku-ku, Tokyo 162-8640 Japan and Toray Industries, Inc. of 1-1, Nihonbashimuromachi 2-chome, Chuo-ku, Tokyo 103-8666 Japan (hereinafter referred to as Assignee), is desirous of acquiring the entire domestic and foreign right, title, and interest in and under the invention described in the patent application.

**NOW, THEREFORE**, for good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, we assign and transfer to the Assignee and the Assignee's legal representatives, successors and assigns the full and exclusive rights in and to the invention in the U.S. and every foreign country and the entire right, title, and interest in and to the patent application and other such applications (e.g., provisional applications, non-provisional applications, continuations, continuations-in-part, divisionals, reissues, reexaminations, National phase applications, including petty patent applications, and utility model applications) that may be filed in the United States and every foreign country on the invention, and the patents, extensions, or derivations thereof, both foreign and domestic, that may issue thereon, and we do hereby authorize and request the Commissioner of Patents to issue U.S. patents to the above-mentioned Assignee agreeably with the terms of this assignment document.

**WE HEREBY AUTHORIZE** the Assignee to insert in this assignment document the filing date and application number of the application if the date and number are unavailable at the time this document is executed.

**UPON SAID CONSIDERATION**, we convey to the Assignee the right to make application in its own behalf for protection of the invention in the U.S. and countries foreign to the U.S. and to claim under the Patent Cooperation Treaty, the International Convention and/or other international arrangement for any such application the date of the U.S. application (or any other application on the invention) to gain priority with respect to other applications.

WE DO HEREBY COVENANT and agree with the Assignee that we will not execute any writing or do any act whatsoever conflicting with the terms of this assignment document set forth herein, and that we will at any time upon request, without further or additional consideration, but at the expense of the Assignee, execute such additional assignments and other writings and do such additional acts as the Assignee may deem necessary or desirable to perfect the Assignee's enjoyment of this assignment, and render all necessary assistance in making application for and obtaining original, continuation, continuation-in-part, divisional, reissued, reexamined, and National phase patents of the U.S. or of any and all foreign countries on the invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, and by executing statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the assigns and legal representatives of all parties hereto.

IN WITNESS WHEREOF, we have hereunder set our hands on the dates shown below.

Date May 15, 2006 Hideki Hasegawa  
Hideki HASEGAWA

Date May 15, 2006 Witness Minoru Tobiume  
Minoru Tobiume

Date May 15, 2006 Witness N. Nakajima  
Noriko Nakajima

Date May 12, 2006 Takeshi KURATA  
Takeshi KURATA

Date May 12, 2006 Witness Yoshinori Kitagawa  
Yoshinori Kitagawa

Date May 12, 2006 Witness Masae Maeda  
Masae Maeda

Date May 12, 2006 Tetsutarou Sata  
Tetsutarou SATA

Date 5/12/2006 Witness Harutaka Katano  
Harutaka Katano

Date May 12, 2006 Witness Takayuki Kanno  
Takayuki Kanno

Date May 16, 2006 Masami MORIYAMA  
Masami MORIYAMA

Date May 16, 2006 Witness Tetsutarou Sata  
Tetsutarou Sata

Date 5/16/06 Witness Kenzo Tokunaga  
Kenzo Tokunaga

Date 5/15/06 Shin-ichi TAMURA  
Shin-ichi TAMURA

Date 5/15/06 Witness Kenzo Tokunaga  
Kenzo Tokunaga

Date May/15/06 Witness Asato Kojima  
Asato Kojima

In re Appln. of Hasegawa et al.  
Attorney Docket No.

Date May 18, 2006 Takeshi Tanimoto  
Takeshi TANIMOTO

Date May 18, 2006 Witness Iso Fuke  
Iso Fuke

Date May 18, 2006 Witness Toyokazu Ishikawa  
Toyokazu Ishikawa

CH02/ 22425147.1